

1 TRIAL & TECHNOLOGY LAW GROUP  
2 A PROFESSIONAL CORPORATION  
3 ROBERT A. SPANNER SBN 60308  
4 3723 HAVEN AVENUE #132  
5 MENLO PARK, CA 94025  
6 PHONE: (650) 324-2277  
7 FAX: (650) 233-2790  
8 email - ras@techtriallaw.com

9 Attorney for Plaintiffs

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**San Francisco Division**

HENRY KLYCE and CAROL KLYCE,

CASE NO. 11 CV 02248 WHA

Plaintiffs,

v.

**DECLARATION OF ROBERT A.  
SPANNER IN SUPPORT OF MOTION  
FOR ONE-WEEK EXTENSION OF  
TIME**

DOES 1-10,

Defendants.

\_\_\_\_\_/

Robert A. Spanner states and declares as follows:

1. I am counsel for Plaintiffs herein. This declaration is made on personal knowledge.

2. I received Verizon's production of documents pursuant to Plaintiff's subpoena on or about August 2, 2011. Verizon's production identified one woman, who had possessed three of the eight IP addresses in question.

3. I received Time Warner's production on August 3, 2011. Time Warner's production identified one man, who had possessed three of the eight IP addresses in question.

4. I have not yet received Comcast's production.

5. On or about July 29, 2011 I received a phone call from the aforesaid woman's attorney, Andrew Kreeft of Monterey, whose retention was undoubtedly prompted by the notification letters the ISP's were required by this Court's order to send to those of its subscribers whose identity was being sought, so that they had an opportunity to be heard before disclosure. I

1 explained that the Complaint was posted on the PACER system for the Northern District of  
2 California and therefore was available to him to peruse, and that the case generally concerned  
3 invasion of email accounts. We talked about the due date for the Joint CMC Statement and the  
4 setting of the Case Management Conference, and I suddenly realized that the Case Management  
5 Conference had been set during my vacation week. I asked Mr. Kreeft if he would mind holding  
6 the Case Management Conference the following week, on August 25th, and he stated that he  
7 could attend on that date but that he would have to reschedule a deposition to do so, and he  
8 expressed a preference for the following Thursday, Sept. 1, instead. On August 6th I received a  
9 voicemail from Mr. Kreeft, noting that his client had not yet been served. I returned the call, but  
10 no one answered; so I left a voicemail asking Mr. Kreeft to explain his position.

11 6. The nature of my calendar conflict is that my family attends Stanford's summer camp  
12 the third week of every August, with payment (many thousands of dollars) due and paid the  
13 preceding March.

14 I declare under penalty of perjury under the laws of the State of California that the  
15 foregoing is true and correct.

16 Executed this 6th day of August, 2011 at Portola Valley, California.

17  
18 /s/ Robert A. Spanner

19 \_\_\_\_\_  
Robert A. Spanner  
20  
21  
22  
23  
24  
25  
26  
27  
28